

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

<p>HAROLD B. MORLEY 9529 Quail Hollow Drive, Apt. 501 St. Michaels, Maryland 21663</p> <p style="text-align: center;">Plaintiff</p> <p>v.</p> <p>SCOTT RAYMOND WAGNER 1630 Wyndham Drive York, PA 17403</p> <p style="text-align: center;">and</p> <p>KBS, INC. 4924 Lincoln Highway West Thomasville, PA 17364</p> <p>SERVE: Scott R. Wagner, President Route 30 and KBS Road Thomasville, PA 17364</p> <p style="text-align: center;">Defendants</p>	<p>Civil Action No: 1:21-cv-02694-CCB</p>
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**AMENDED COMPLAINT AND ELECTION FOR JURY TRIAL**

Plaintiff, Harold B. Morley, by his attorneys, Paul D. Bekman, Bekman, Marder, Hopper, Malarkey & Perlin, LLC, Guy A. Fortney and Brewster De Angelis, PLLC, sues Scott Raymond Wagner and KBS, Inc., Defendants.

**Parties**

1. Plaintiff, Harold B. Morley, is a resident of the State of Maryland.
2. The Defendant, Scott Raymond Wagner, is a resident of the State of Pennsylvania.
3. KBS, Inc. is a Pennsylvania corporation that carries on a regular business throughout the State of Maryland, including Talbot County, Maryland.

4. This Court has jurisdiction over this matter, pursuant to 28 U.S.C. Section 1332, as there is diversity of citizenship between the parties and the amount of this claim exceeds Seventy-Five Thousand Dollars (\$75,000.00).

**Factual Background**

5. On May 8, 2021, the Plaintiff, Harold Morley, was operating his 2002 Toyota Avalon in a careful and prudent manner, and was proceeding in an eastbound direction on Route 33, when suddenly, violently, and without warning, a vehicle operated by the Defendant, Scott Raymond Wagner, who was proceeding in a westbound direction on Route 33, negligently and recklessly crossed the center line on route 33 at Mile Point 16.24, and collided head on with the Plaintiff's vehicle.

6. At all pertinent times, the Defendant, Scott Raymond Wagner, was operating his vehicle as the agent, servant and/or employee of the Defendant, KBS, Inc.

7. The Defendant, Scott Raymond Wagner, was negligent and careless with respect to the aforesaid occurrence in that he:

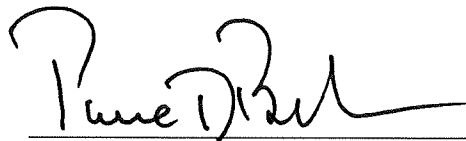
- (a) failed to maintain proper control over his vehicle;
- (b) failed to observe the eastbound vehicle on Route 33, in Talbot County, Maryland;
- (c) failed to keep a proper lookout;
- (d) failed to avoid a collision;
- (e) failed to observe the presence and proximity of other vehicles on Route 33 in Talbot County, Maryland;
- (f) operated the vehicle at a speed greater than reasonable under the circumstances then and there existing;

- (g) failed to keep his vehicle to the right of the center line;
- (h) falling asleep while driving his vehicle;
- (i) and was in other respects negligent and careless.

8. As a direct and proximate result of the aforesaid carelessness and negligence, the Plaintiff, Harold B. Morley, was thrown violently about the interior of the vehicle and suffered serious and permanent injuries and severe mental anguish and emotional pain and suffering, whereby he was obligated to receive hospital, rehabilitation, and medical treatment for which expenses were and will continue to be incurred in the future, whereby he was and will in the future be prevented from engaging in his activities and pursuits, and he was otherwise injured and damaged.

9. Plaintiff says that all of the injuries and damages were caused solely by the actions of the Defendants, without any negligence on the part of the Plaintiff thereunto contributing.

WHEREFORE, the Plaintiff, Harold B. Morley, demands judgment in his favor and against the Defendants, Scott Raymond Wagner and KBS, Inc., jointly and severally, in a sum to exceed \$75,000.00 in damages, with interests and costs.



PAUL D. BEKMAN (Federal Bar #00019)

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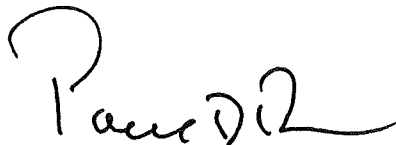
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(Pro Hac Vice Pending)

*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 8<sup>th</sup> day of November, 2021, a copy of the foregoing Amended Complaint and Election for Jury Trial was served via electronic filing, to the following:

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